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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,313	09/30/2003	Zer Kai Yap	TEC1296	5336
832	7590	05/03/2007	EXAMINER	
BAKER & DANIELS LLP 111 E. WAYNE STREET SUITE 800 FORT WAYNE, IN 46802			GILLAN, RYAN P	
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	10/675,313	YAP ET AL.
	Examiner Ryan P. Gillan	Art Unit 3746

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 02 February 2007.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 3-18,20,21 and 23-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 3-18,20,21 and 23-28 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 September 2003 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 3, 5-12, 17-21, 23, 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergman (5,584,716) in view of Bunch et al. (5,252,036). Bergman teaches an assembly for use with a hermetic compressor, said assembly comprising: a hermetically sealed housing (12) defining an interior space and including a housing wall with an interior surface and an exterior surface, said housing wall defining an aperture (clearly seen in figure 14) extending through said housing wall and communicating with said interior space clearly seen in figure 14; a motor (col. 1 line 29-33) and a compressor (10) mechanism operably coupled with said motor disposed within said interior space; a terminal block (260) mounted on said housing wall proximate said aperture and forming a hermetic seal with said exterior surface of said housing wall, said hermetic seal encircling said aperture (Col. 2 lines 44-49); at least one terminal pin (122) mounted in said terminal block and extending through said aperture (clearly seen in figure 14); said terminal block includes a mating surface (268) flushly engaged with said exterior surface of said housing wall and encircling said aperture; wherein said exterior surface is cylindrical and said mating surface is a concave surface (the weld,

shown in figure 14 conforms to the exterior surface of the housing and will form at least some degree of concavity); wherein said at least one terminal pin has an outwardly projecting end (the portion of pin (122) that extend outside of the compressor housing) and said assembly further comprises a cover (262) securable to said terminal block wherein said cover defines an enclosure for said outwardly projecting end of said at least one terminal pin when said cover is secured to said terminal block (clearly seen in figure 14) and wherein said terminal block includes a latching surface (310) securably engageable with said cover; wherein said latching surface is defined by a groove (206) formed in said terminal block; wherein said cover includes at least one resilient mounting member (212) engageable with said latching surface to secure said cover to said terminal block; wherein said at least one mounting member includes a radially inwardly extending tab (integral with 212) engageable with said latching surface; wherein said terminal block includes a guide surface (integral with 206) disposed between said latching surface and a distal end of said terminal block, said guide surface tapering radially inwardly as said guide surface projects from said latching surface toward said distal end (clearly seen in figure 11); wherein said terminal block includes a portion disposed within said aperture (the portion of terminal block (200) within the compressor housing); wherein said terminal block is welded (col. 2 lines 18-19) to said exterior surface of said housing wall; said terminal block defining an annular groove (206); resilient mounting member extending therefrom and said tabs (210) are disposed on the respective distal end of said resilient mounting member (212).

2. Bergman teaches all of the claim limitations cited above, but fails to teach the following claim limitations taught by Bunch: a terminal block (22) having a concave mating surface 30 flushly engaged 32 with the cylindrical exterior surface of the housing wall 10 (clearly seen in figures 1 and 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the terminal block assembly taught by Bergman to be completely exterior of the compressor housing as taught by Bunch as a means of creating improved protection to the terminal pins (col. 3 lines 59-68). The method of assembly claims are rejected because the apparatus claim limitations, being rejected by the applied prior art, so do obviously the method of assembling steps, because the method of assembly simply provides the apparatus cited above.

3. Claim 4 and 24-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergman and Bunch in view of Paterek (5,227,587). The combination of Bergman and Bunch teaches all of the limitations of claims 1 and 22 as cited above, but fails to teach at least one terminal pin comprises a terminal pin assembly threadingly engaging a threaded opening defined by said terminal block.

4. Paterek teaches at least one terminal pin (26) comprising a terminal pin assembly threadingly engaging a threaded opening defined by said terminal block (clearly seen in figure 3). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the terminal pin assemblies taught by Bergman to included a pin assembly threadably engaged with the terminal block as taught by Paterek as a means of providing for quick installation and removal of the terminal pins in the compressor housing (col. 2 lines 3-19). The method of assembly claims are

rejected because the apparatus claim limitations, being rejected by the applied prior art, so do obviously the method of assembling steps, because the method of assembly simply provides the apparatus cited above.

5. Claims 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergman and Bunch in view of Bunch et al. (2002/0029469). Bergman teaches all of the claim limitations as cited above, but fails to teach a cover having a plurality of tabs engageable with said groove to thereby mount said cover to said terminal block; said cover includes a plurality of resilient mounting members extending therefrom; wherein the guide surface forms a frustoconical shape.

6. Bunch (2002/0029469) teaches a cover having a plurality of tabs (82) engageable with grooves (88) to thereby mount said cover (80) to said terminal block (78); said cover includes a plurality of resilient mounting members extending therefrom (extending from groove 88); wherein the guide surface forms a frustoconical shape (88). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the tab and groove as taught by Bergman to incorporate a plurality of tabs and corresponding grooves as a means of eliminating the need for excessive force when installing the cover and thereby increasing the likelihood of proper installment and reducing the likelihood of damage to the terminal block or cover (paragraphs 7 and 8). The method of assembly claims are rejected because the apparatus claim limitations, being rejected by the applied prior art, so do obviously the method of assembling steps, because the method of assembly simply provides the apparatus cited above.

Response to Arguments

7. Applicant's arguments with respect to the 35 U.S.C. section 102(b) rejection of claims 3, 5-9, 11, 12, 17, 20 and 21 are moot in view of the new grounds of rejection cited above.

8. Applicant's arguments filed 2/2/2007 have been fully considered but they are not persuasive. Applicant argues, with respect to Bunch (5,252,036), that any depiction of terminal cluster 14 is precluded by heater 12, however, it is unclear in what way heater 12 precludes terminal cluster 14. As clearly seen in figure 2 all of the components of the terminal block are outside of the housing 10. The only components that enter through the housing are terminal pins 24, analogous to the applicants apparatus.

9. Applicant also argues that Bunch (2002/0029469), fails to disclose a cover and terminal block engagement, however terminal block 50 clearly supports the terminal pins 56 and is covered by piece 80, which among other things, can be considered a cover for the terminal block. Additionally, Applicant argues tat the engagement between the cover and terminal block taught by Bunch is made by an O-ring. This is true, however, the grooves and tabs taught by Bunch also provide an engagement between the two pieces.). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the tab and groove as taught by Bergman to incorporate a plurality of tabs and corresponding grooves as a means of eliminating the need for excessive force when installing the cover and thereby increasing the likelihood of proper installment and reducing the likelihood of damage to the terminal block or cover (paragraphs 7 and 8).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan P. Gillan whose telephone number is (571) 272-8381. The examiner can normally be reached on M-F 8am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Stashick can be reached on (571) 272-4561. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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